

#414
BILL NO. Z-90-02-20

ZONING MAP ORDINANCE NO. Z-Lish

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. J-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an B-3-B (General Business) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

Lots 32 through 43 in Electric Addition

and the symbols of the City of Fort Wayne Zoning Map No. J-
3,
as established by Section 11 of Chapter 33 of the Code of
the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. TIMOTHY MCCAULAY, CITY ATTORNEY

FOUR STAR BOND
SOUTHWORTH CO. U.S.A.
25% COTTON FIBER

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 2-27-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~last~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>		<u>8</u>		<u>1</u>
<u>BRADBURY</u>		<u>✓</u>		
<u>BURNS</u>		<u>✓</u>		
<u>EDMONDS</u>		<u>✓</u>		
<u>GIAQUINTA</u>		<u>✓</u>		
<u>HENRY</u>		<u>✓</u>		
<u>LONG</u>				<u>✓</u>
<u>REDD</u>		<u>✓</u>		
<u>SCHMIDT</u>		<u>✓</u>		
<u>TALARICO</u>		<u>✓</u>		

DATED: 2-27-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19____

ATTEST: (SEAL)

Sandra E. Kennedy, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

Sandra E. Kennedy, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

RECEIPT

CASH

No 7275

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., Jan 24 19 90

RECEIVED FROM

Rick Dushill

\$

100⁰⁰

THE SUM OF

One Hundred and no/100's

100

DOLLARS

ON ACCOUNT OF

Paying App'l e Taylor St.

PAID BY:

CASH



CHECK



M.O.



AUTHORIZED SIGNATURE

W. E. O'K

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

I/We RICHARD + DIANA GASKILL
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an B1B District to a/an B3B District the property described as follows:

LOTS #32 THROUGH #43 IN ELECTRIC ADDITION

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 2105 TAYLOR ST TO 2145 TAYLOR ST
INCLUSIVE

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>ERMA F. SMITH</u>	<u>2139 TAYLOR ST</u>	<u>Erma F Smith</u>
<u>Jane E. Mathias</u>	<u>2133 Taylor St.</u>	<u>Jane Mathias</u>
<u>Patty Brooks</u>	<u>2129 Taylor St.</u>	<u>Patty Brooks</u>
(Name)	(Address)	(Signature)
<u>PAUL VOQUELET</u>	<u>2123 Taylor ST</u>	<u>Paul L Voquelet</u>
(If additional space is needed, use reverse side.)		

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$100.00)

Name and address of the preparer, attorney or agent.
RICHARD GASKILL 1623 HIGH ST. FW. IN 46808 219-426-2155
(Name) (Address & Zip Code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

To Hdr

Owners of Property

Carolyn Ylana	2145 Taylor St.	Carolyn Ylana
Laura Myers	2141 Taylor St.	LAURA MYERS
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 27, 1990 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-90-02-20;

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 26, 1990.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

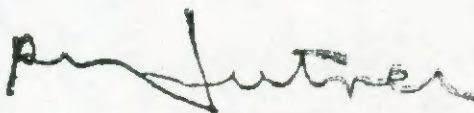
(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 5, 1990.

Certified and signed this
6th day of March 1990.



Robert Hutner
Secretary

#414 ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 2105 thru 2145 Taylor Street

2-90-02-20

EFFECT OF PASSAGE Property is presently zoned B-1-B - Limited Business District.

Property will become B-3-B - General Business District.

EFFECT OF NON-PASSAGE Property will remain zoned B-1-B - Limited Business
District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

FACT SHEET

Z-90-02-20

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment

From B-1-B to B-3-B

DETAILS

Specific Location and/or Address

2105 thru 2145 Taylor Street

Reason for Project

Warehousing and wholesale storage.
(Petition filed did not state use.)

Discussion (Including relationship to other Council actions)

26 February 1990 - Public Hearing

Chris Rongas, appeared before the Commission. Mr. Rongas stated that they are in the process of purchasing a portion of the property in question. He stated that they want to build a structure for the purpose of using the property for a wholesale club. He stated that they supply 15 restaurants and own a grocery store and they want to build a new structure to house the wholesale process because they presently have no more room in the existing grocery.

David Long questioned what was currently on the site.

Mr. Rongas stated it was called American Locksmith. He stated that their business would be essentially a warehouse to store supplies for the restaurants they stock as well as for their grocery.

David Wright stated that the request for B3B would not accommodate the use of warehousing or wholesaling. He stated it would require at least an M-1 zoning classification.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)
Richard Gaskill

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☐ For ☒ Against

Reason Against
-approval would not be consistent with the goals of the Comprehensive Plan for area;

Board or Commission Recommendation

By

☐ For ☒ Against
☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

Steve Smith stated that prior to the March 5th Business Meeting they should meet with staff and clarify if the zoning requested would accommodate the use planned.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

5 March 1990 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation.

Of the seven (7) members present six (6) voted in favor of the motion, one (1) did not vote.

Motion carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 24 January 1990

Projected Completion or Occupancy

Date 6 March 1990

Fact Sheet Prepared by

Date 6 March 1990

Patricia Biancaniello

Reviewed by

Date 3/8/90

Harry Magliozzi
Reference or Case Number

BILL NO. Z-90-02-20

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON _____ REGULATIONS _____ TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City
of Fort Wayne Zoning Map No. J-3

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 2-27-90

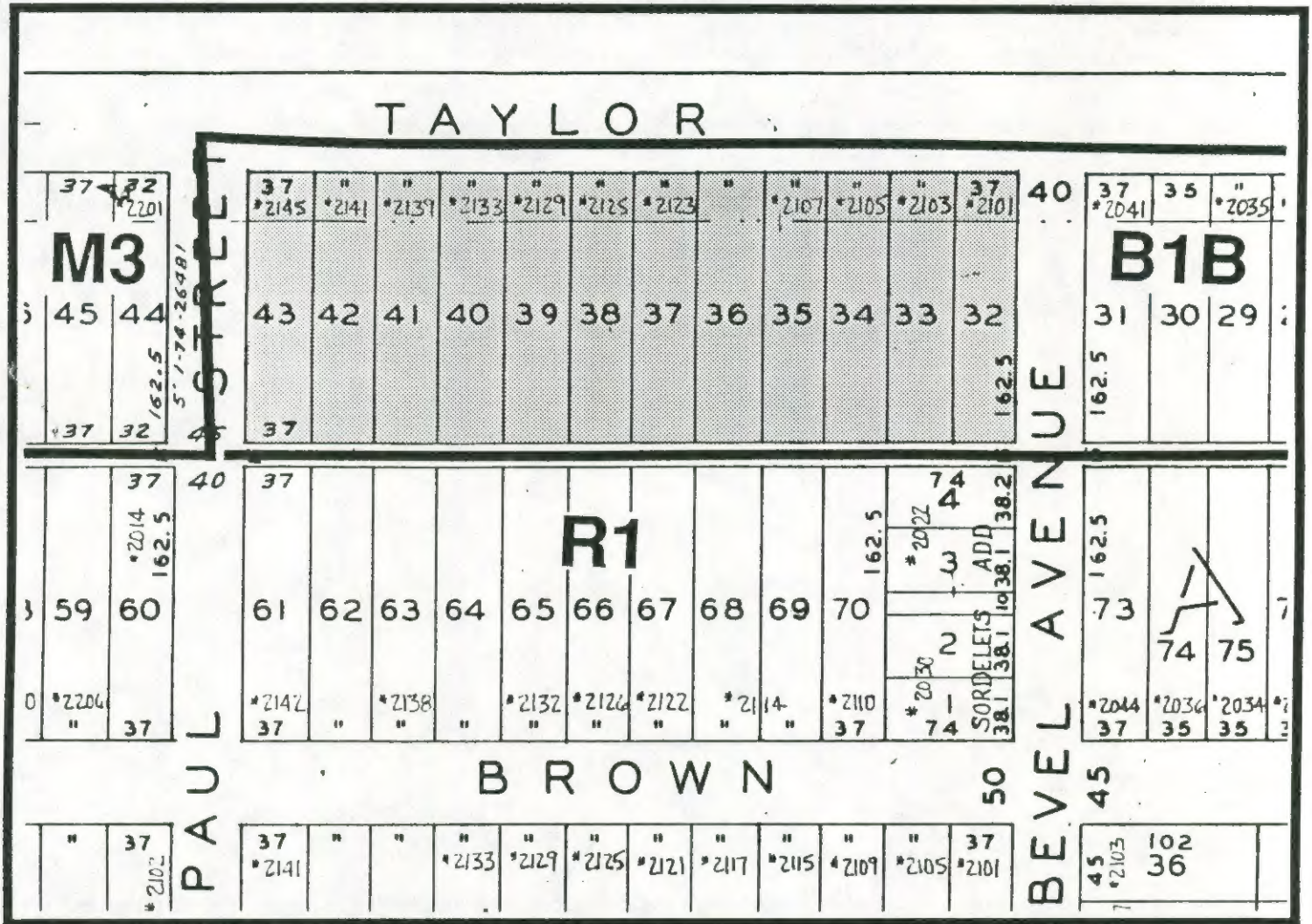
Sandra E. Kennedy
City Clerk

REZONING PETITION

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A **B1B** DISTRICT TO A **B3B** DISTRICT.

MAP NO. J-3

COUNCILMANIC DISTRICT NO. 4



ZONING:

R1 RESIDENTIAL DISTRICT

M1 LIGHT INDUSTRY

B1B LIMITED BUSINESS "B"

LAND USE:

☐ COMMERCIAL

☐ INDUSTRIAL

SCALE: 1"=100'

DATE: 2-6-90

